

BEFORE THE  
POSTAL REGULATORY COMMISSION  
WASHINGTON, D.C. 20268-0001

RATE ADJUSTMENT DUE TO EXTRAORDINARY OR  
EXCEPTIONAL CIRCUMSTANCES

Docket No. R2013-11

**NATIONAL POSTAL POLICY COUNCIL,  
THE MAJOR MAILERS ASSOCIATION, AND  
THE NATIONAL ASSOCIATION OF PRESORT MAILERS  
NOTICE OF FILING OF LIBRARY REFERENCE  
LR-R2013-11/NP2 AND  
APPLICATION FOR NONPUBLIC TREATMENT  
(November 26, 2013)**

The National Postal Policy Council ("NPPC"), the Major Mailers Association ("MMA"), and the National Association of Presort Mailers ("NAPM") hereby provide notice of the filing of Library Reference NPPC *et al.*-LR-R2013-11/NP2 and apply, pursuant to Commission rule of practice 3007.22, for nonpublic treatment of that library reference. NPPC *et al.*-LR-R2013-11/NP2 contains data underlying the Statement of Lawrence G. Buc ("Buc Declaration") attached to the Comments of NPPC, MMA, and NAPM in connection with the Buc Declaration filed simultaneously in this proceeding.

Section 3007.22 of the Commission's rules of practice provides, in the case of an application by a private party for non-public treatment, as follows:

§ 3007.22 Content of third-party application for non-public treatment.

(a) The application for relief from public disclosure submitted by a party other than the Postal Service must clearly identify all materials believed to be protected from disclosure.

(b) The application for non-public treatment must include a specific and detailed statement setting forth:

(1) A description of the materials claimed to be non-public in a manner that, without revealing the materials at issue, would allow a person to thoroughly evaluate the basis for the claim that they are non-public;

(2) Particular identification of the nature and extent of the harm alleged and the likelihood of such harm; and

(3) Any other factors or reasons relevant to support the application.

The materials submitted are clearly identified and are contained in sealed envelopes and are labeled in a manner consistent with the descriptions stated above.

NPPC *et al.*-LR-R2013-11/NP2 is entitled to non-public status. It consists of a pdf file containing a compilation of notes taken of twelve interviews with First-Class and Standard mailers interviewed by SLS. The data includes commercially sensitive financial information regarding each mailer's business, mailing costs, and mailing plans. This information is directly relevant to the Postal Service's Request for rate increases pursuant to 39 U.S.C. §3622(d)(1)(E) in this proceeding and is not typically shared with competing firms.

For these reasons, SLS, on behalf of NPPC, MMA, NAPM, and a number of other entities collected the information subject to an understanding that it would not be disclosed in a way that would permit identification of particular mailers.

Although the names of the individual responding companies have been removed, it may be possible for an informed individual familiar with the industry or with access to mailing records to re-identify individual respondents. Making this information public could allow other firms to obtain a competitive advantage to the harm of the mailers that participated in the surveys and interviews.

Accordingly, the National Postal Policy Council ("NPPC"), the Major Mailers Association, and the National Association of Presort Mailers respectfully requests nonpublic treatment of NPPC *et al.*-LR-R2013-11/NP2 pursuant to rule 3007.22 *et seq.*

Respectfully submitted,

Arthur B. Sackler  
Executive Director  
NATIONAL POSTAL POLICY COUNCIL  
1101 17th Street., N.W.  
Suite 1220  
Washington, D.C. 20036  
Telephone: (202) 955-0097  
E-Mail: [asackler@postalcouncil.org](mailto:asackler@postalcouncil.org)

s/s William B. Baker  
William B. Baker  
Wiley Rein LLP  
1776 K Street, N.W.  
Washington, DC 20006-2304  
Telephone: (202) 719-7255  
E-Mail: [wbaker@wileyrein.com](mailto:wbaker@wileyrein.com)

Counsel to NATIONAL POSTAL POLICY  
COUNCIL

MAJOR MAILERS ASSOCIATION  
Mury Salls  
DST Mailing Services  
3531 Kilpatrick Lane  
Snellville, GA 30039  
[MLSalls@dstmailingservices.com](mailto:MLSalls@dstmailingservices.com)

Robert Galaher  
Executive Director and CEO  
NATIONAL ASSOCIATION OF  
PRESORT MAILERS  
PO Box 3552  
Annapolis, MD 21403-3552